

Before the
Federal Communication Commission
Washington, D. C. 20554

RECEIVED

JAN 10 1994

FCC MAIL ROOM

RM-8270

MM Docket Number: 93-205

In the Matter of
Amendment of Section
73.202 (B)
Table of Allotments
FM Broadcast Stations
(Donalsonville, Georgia)

To: Chief, Allocations Branch

PETITION TO RECONSIDER

Jerry E. White and Donald F. White, Sr., (White) respectfully submit a petition to reconsider the Commission's recent action in the above captioned matter.

White petitioned the Commission to assign Channel 298A to Donalsonville, Georgia, as that community's second FM assignment and first full facility (6kw) assignment.

Clyde Scott, D/B/A EME Communications (EME) filed comments in the proceeding against the assignment. Scott stated the "[n]o single owner was willing to either lease or sell suitable land within the area for a transmitter site". The Donalsonville proposal had reduced the useable area of the Sasser assignment by 92% and Scott argued that with Channel 298A assigned to Donalsonville, an application with a tower site in the new useable area for Sasser could not be filed.

In it's Report and Order adopted November 3, 1993 and released December 8, 1993, the Commission assigned an alternate channel (271A) to Donalsonville, Georgia, reducing the proposed useable area by 98%.

Attached, as Figure "1", is an affidavit stating that, to the best

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of White's knowledge and belief, the entire useable area of Channel 271A at Donalsonville appears to fall on land owned by Pearce Farms and Johnny Creel.

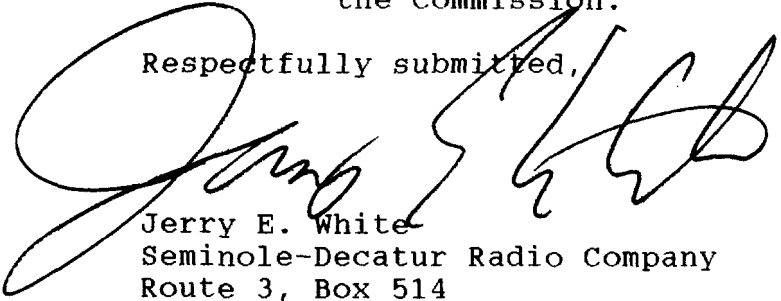
The land owned by Johnny Creel is also farmed by Pearce Farms. This land is productive farm land under and expensive center pivot system and Allen Pearce, who runs Pearce Farms, said that he would not lease or sell the land for a radio station tower.

Attached as Figure "2" is a copy of White's petition to deny filed in the matter of BPH-930916MA, application of Albany Radio, Inc., for Channel 299C3, Sasser, Georgia. The petition states that on September 16, 1993, Marshall W. Rowland, Sr., filed an application for Channel 299C3 at Sasser with a site within the "new" Sasser useable area and clear of the proposed Donalsonville assignment.

In conclusion, White believes the Commission should reconsider it's assignment of Channel 271A to Donalsonville, Georgia, and assign Channel 298A, based on the following two facts:

1. There appears to be no land on which to locate a transmitter and tower site for Channel 271A in Donalsonville.
2. The application on Marshall W. Rowland, Sr., for Channel 299C3 in Sasser, Georgia, is proof that the two channels can operate meeting the minimum distance separation requirements of the Commission.

Respectfully submitted,



Jerry E. White
Seminole-Decatur Radio Company
Route 3, Box 514
Pelham, Georgia 31779
January 6, 1994

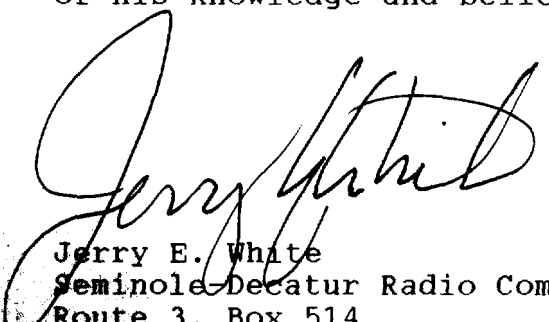
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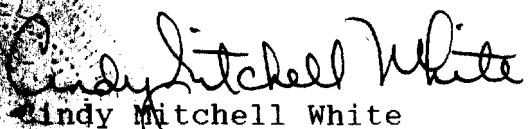
STATE OF GEORGIA
MITCHELL COUNTY

SS:

Jerry E. White, being first duly sworn, deposes and states that:

He has prepared and reviewed the attached Petition to Deny to be filed with the Federal Communication Commission and believes the statements contained to be true, correct, and accurate to the best of his knowledge and belief.


Jerry E. White
Seminole-Decatur Radio Company
Route 3, Box 514
Pelham, Georgia 31779
January 6, 1994


Cindy Mitchell White
Notary Public
My Commission Expires May 25, 1995




Figure 1

AFFIDAVIT

STATE OF GEORGIA

MITCHELL COUNTY

SS:

On the morning of December 10, 1993, Jerry E. White, in the company of Cindy Mitchell White, Notary Public, traveled to Blakely, Georgia, County Seat of Early County, to determine, at the Tax Assessor's office, the identity of the land owners within the useable area of Channel 271A at Donalsonville.

After reviewing land plats at the Tax Assessor's office, it was determined that the useable area falls within the boundaries of 2 tracts of land in Early County. The 2 tracts of land are in Early County land district 36, map number 86, tract 19 and 21.

Tract 19 is owned by Pearce Farms, a partnership between Laura Pearce and her son, Allen Pearce.

Tract 21 is owned by Johnny Creel and leased, for farming purposes, to Pearce Farms.

At approximately 12 noon on December 10, 1993, Jerry E. White spoke with Allen Pearce, representative for Pearce Farms. Mr. Pearce stated that the useable area pointed out to him appeared to fall within productive farm land, underneath a center pivot irrigation system. Mr. Pearce went on to state that he certainly was not interested in seeing a radio tower located on productive farm land. See Exhibit "A".

Jerry B. White
Seminole-Decatur Radio Company
Route 3, Box 514
Pelham, Georgia 31779
December 10, 1993

Cindy Mitchell White
Notary Public
My Commission Expires May 25, 1995

~~Exhibit "A"~~
Figure 1

To: Jerry White

I am not interested in Renting
land on my farm OR land that
I Rent to Farm. I Represent
Pearce Farms And Lease the
land of Johnny Creel.

Pearce Farms
Alvin Pearce
Johnny Creel

Witnessed By

[Signature]



Cindy Mitchell White
Notary Public

My commission expires
May 25, 1995

Figure 2

Before the
Federal Communication Commission
Washington, D. C. 20554

COPY

In the Matter of

Application of

Albany Radio, Inc.

for Channel 299 C3

Sasser, Georgia

BPH-930916MA

RECEIVED

JAN 10 1994

PETITION TO DENY

FCC MAIL ROOM

Jerry E. White (PETITIONER) respectfully files this petition requesting the Federal Communication Commission deny the above captioned application and return it without action.

White is a petitioner in MM Docket Number 93-205, RM-8270. Petitioner is requesting the assignment of Channel 298A to Donalsonville, Georgia. In the Commission's "Notice of Proposed Rule Making" released July 19, 1993 (Attached as Exhibit "A"), the Commission states "We believe the public interest would be served by proposing the allotment of Channel 298A to Donalsonville, Georgia, as the community's second local FM service. Channel 298A can be allotted to Donalsonville in compliance with the minimum distance separation requirements of the Commission's rules with a site restriction of 6.3 kilometers (3.9 miles) south of the community". The coordinates for Channel 298A at Donalsonville are North Latitude 30-59-11 and West Longitude 84-52-34. Petitioner adds that the assignment will represent Donalsonville, Georgia's first FM assignment that could operate at full Class A facilities and give better service to the rural areas of Seminole County.

On September 16, 1993, Albany Radio, Inc., (ALBANY) filed an application for Channel 299C3 at Sasser, Georgia with the Commission specifying a site at North Latitude 31-38-23 and West Longitude 84-28-26. The Albany application is short spaced to the proposed Donalsonville site by 7.07 kilometers.

Also, on September 16, 1993, Marshall W. Rowland, Sr., (ROWLAND) filed an application for Channel 299C3 in Sasser, Georgia, (BPH-930916MB) with a site

of North Latitude 31-43-33 and West Longitude 84-29-26. Rowland's site is clear of the proposed Donalsonville site by .82 kilometers. Based on this fact alone, the application of Albany should be denied and returned without action.

Clyde Scott (SCOTT), a principal in the Albany application has made a false representation to the Commission in his "Opposition to Notice of Proposed Rule Making" in the matter of MM Docket Number 93-205, RM 8270. A copy of the relevant statement is attached as Exhibit "B".

In the first paragraph of "Discussion" on page one of Scott's Technical Exhibit, Scott states:

"After the Notice of Proposed Rule Making was released from RM-8270, a complete check of all land owners within the "NEW" area to locate was conducted. No single owner was willing to either lease or sell suitable land within the area for a tower site."

However, just 14 days after Scott makes his statement for the Commission, Rowland filed an application specifying a site within the "New" Sasser useable area and clear of the proposed Donalsonville assignment.

The only conclusion that can come from the facts is that Scott did not contact "All land owners within the new area" as Scott states in the matter of RM-8270. This makes Scott's statement that "No single owner was willing to either lease or sell suitable land within the area for a tower site" a misrepresentation in a deliberate attempt to mislead the Commission.

The Commission's processes rely on the truth and candor of those parties coming before it. Where a party fails to adhere to it's material representation the Commission may no longer take that party's statements at face value. Richard Bolt, II, 8FCC RCD 4974 (1993).

In view of Scott's false statement in the "Opposition to Notice of Proposed Rule Making" his representations in the Albany Radio, Inc., application may not be credited. Scott prepared the Technical Exhibit in the Albany Radio, Inc., application. This fact means Albany Radio, Inc.'s Technical Exhibit is suspect and may not be credited.

In it's "Opposition to Notice of Proposed Rule Making" filed in RM-8270, Albany Principal Scott¹ by his attorney states on page 5 (attached as Exhibit "C") "If the Commission adopts the Donalsonville Rule Making as proposed it may not be possible to build and operate the Sasser station in accordance with the Commission's spacing rules". However, the Rowland application shows that Sasser can receive it's first local FM service in full compliance with the Commission's rules. The real story on Scott's lack of a site in Sasser's

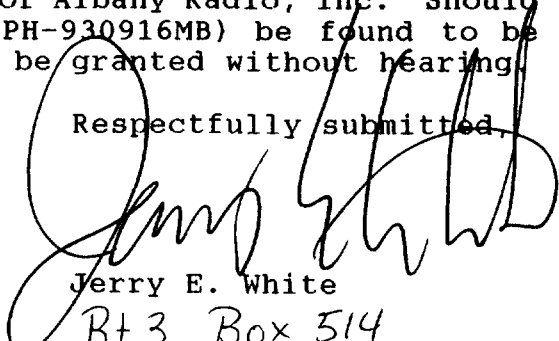
¹Opposition was filed for EME Communications by it's attorney. Clyde Scott is a principal of both EME Communications and Albany Radio, Inc.

useable area is in the name of the company that Scott filed under. Albany Radio, Inc., tells the whole world that Scott's true goal is to own a lucrative Albany, Georgia FM station, not a first service to Sasser, Georgia. In fact, Scott, by his attorney, in his opposition to RM-8270 stated on page 4 (attached as Exhibit "D") EME Communication's selection of it's originally proposed Sasser reference coordinates (North Latitude 31-41-03, West Longitude 84-31-03) was available as a tower site. He knew that the reference coordinates ultimately substituted by the Commission (North Latitude 31-44-55, West Longitude 84-27-13) fall within land area available for a tower site for Channel 299C3 at Sasser. However, Scott moved the requested site SOUTH into the Donalsonville short space (North Latitude 31-38-23, West Longitude 84-28-26). Petitioner is very surprised that Scott could not find a site after RM-8270, yet Scott had time to find a new site SOUTH of his original proposed site, closer to metro Albany and making, if granted, a Donalsonville, Georgia, station impossible.

In conclusion, petitioner requests that the Federal Communications Commission deny the application of Albany Radio, Inc. (BPH-930916MA) based on the fact that the application is short spaced to the proposed Donalsonville assignment in RM-8270. Also, it is clear that Clyde Scott, a principal in the Albany Radio, Inc. application made misrepresentations in fact in a deliberate attempt to mislead the Commission.

The petitioner respectfully requests that the Commission deny and return, without action, the application of Albany Radio, Inc. Should the application of Marshall W. Rowland, Sr. (BPH-930916MB) be found to be acceptable for filing, said application should be granted without hearing.

Respectfully submitted,


Jerry E. White

Rt 3 Box 514

Pelham, GA 31779

December 3, 1993

Before the
Federal Communications Commission
Washington, D.C. 20554

MM Docket No. 93-205

In the Matter of

Amendment of Section 73.202(b), RM-8270
Table of Allotments,
FM Broadcast Stations.
(Donalsonville, Georgia)

NOTICE OF PROPOSED RULE MAKING

Adopted: June 24, 1993; Released: July 19, 1993

Comment Date: September 9, 1993

Reply Comment Date: September 24, 1993

By the Chief, Allocations Branch:

1. Before the Commission for consideration is a petition for rule making filed by Seminole-Decatur Radio Company ("petitioner"), seeking the allotment of Channel 298A to Donalsonville, Georgia, as that community's second local FM service.¹ Petitioner states its intention to apply for the channel, if allotted.

2. We believe the public interest would be served by proposing the allotment of Channel 298A to Donalsonville, Georgia, as that community's second local FM service. Channel 298A can be allotted to Donalsonville in compliance with the minimum distance separation requirements of the Commission's Rules with a site restriction of 6.3 kilometers (3.9 miles) south of the community.²

3. The Commission believes it would be in the public interest to seek comments on the proposal to amend the FM Table of Allotments, Section 73.202(b) of the Commission's Rules, with respect to the following community:

City	Channel No.	
	Present	Proposed
Donalsonville, Georgia	292A	292A, 298A

4. The Commission's authority to institute rule making proceedings, showings required, cut-off procedures, and filing requirements are contained in the attached Appendix

and are incorporated by reference herein. In particular, we note that a showing of continuing interest is required by paragraph 2 of the Appendix before a channel will be allotted.

5. Interested parties may file comments on or before September 9, 1993, and reply comments on or before September 24, 1993, and are advised to read the Appendix for the proper procedures. Comments should be filed with the Secretary, Federal Communications Commission, Washington, D.C. 20554. Additionally, a copy of such comments should be served on the petitioner, or its counsel or consultant, as follows:

Jerry E. White
Seminole-Decatur Radio Company
Route 3, Box 514
Pelham, Georgia 31779
(Petitioner)

6. The Commission has determined that the relevant provisions of the Regulatory Flexibility Act of 1980 do not apply to rule making proceedings to amend the FM Table of Allotments, Section 73.202(b) of the Commission's Rules. See *Certification that Sections 603 and 604 of the Regulatory Flexibility Act Do Not Apply to Rule Making to Amend Sections 73.202(b), 73.504 and 73.606(b) of the Commission's Rules*, 46 FR 11549, February 9, 1981.

7. For further information concerning this proceeding, contact Nancy J. Walls, Mass Media Bureau, (202) 634-6530. For purposes of this restricted notice and comment rule making proceeding, members of the public are advised that no *ex parte* presentations are permitted from the time the Commission adopts a Notice of Proposed Rule Making until the proceeding has been decided and such decision is no longer subject to reconsideration by the Commission or review by any court. An *ex parte* presentation is not prohibited if specifically requested by the Commission or staff for the clarification or adduction of evidence or resolution of issues in the proceeding. However, any new written information elicited from such a request or a summary of any new oral information shall be served by the person making the presentation upon the other parties to the proceeding unless the Commission specifically waives this service requirement. Any comment which has not been served on the petitioner constitutes an *ex parte* presentation and shall not be considered in the proceeding. Any reply comment which has not been served on the person(s) who filed the comment, to which the reply is directed, constitutes an *ex parte* presentation and shall not be considered in the proceeding.

¹ Although Petitioner's request was signed, it failed to include an affidavit verifying that the statements contained in the petition were accurate to the best of its knowledge. Section 1.52 of the Commission's Rules requires that the original of any document filed with the Commission by a party not represented by counsel be signed and verified by the party and his/her address stated. In the absence of such verification, the petition may be dismissed. Section 1.401(b) of the Commission's Rules concerning rule making proceedings places petitioners on notice that

their proposal must conform with the requirements of Section 1.52 regarding subscription and verification. See also *Amendment of Sections 1.420 and 73.3584 of the Commission's Rules Concerning Abuses of the Commission's Processes*, 5 FCC Rcd 3911, n.41 (1990). Petitioner is requested to rectify this omission in its comments.

² The coordinates for Channel 298A at Donalsonville are North Latitude 30-59-11 and West Longitude 84-52-34.

FEDERAL COMMUNICATIONS COMMISSION

Michael C. Ruger
Chief, Allocations Branch
Policy and Rules Division
Mass Media Bureau

APPENDIX

1. Pursuant to authority found in Sections 4(i), 5(c)(1), 303(g) and (r) and 307(b) of the Communications Act of 1934, as amended, and Sections 0.61 0.204(b) and 0.283 of the Commission's Rules, IT IS PROPOSED TO AMEND the FM Table of Allotments, Section 73.202(b) of the Commission's Rules and Regulations, as set forth in the *Notice of Proposed Rule Making* to which this Appendix is attached.

2. *Showings Required.* Comments are invited on the proposal(s) discussed in the *Notice of Proposed Rule Making* to which this Appendix is attached. Proponent(s) will be expected to answer whatever questions are presented in initial comments. The proponent of a proposed allotment is also expected to file comments even if it only resubmits or incorporates by reference its former pleadings. It should also restate its present intention to apply for the channel if it is allotted and, if authorized, to build a station promptly. Failure to file may lead to denial of the request.

3. *Cut-off Procedures.* The following procedures will govern the consideration of filings in this proceeding.

(a) Counterproposals advanced in this proceeding itself will be considered if advanced in initial comments, so that parties may comment on them in reply comments. They will not be considered if advanced in reply comments. (See Section 1.420(d) of the Commission's Rules.)

(b) With respect to petitions for rule making which conflict with the proposal(s) in this *Notice*, they will be considered as comments in the proceeding, and Public Notice to this effect will be given as long as they are filed before the date for filing initial comments herein. If they are filed later than that, they will not be considered in connection with the decision in this docket.

(c) The filing of a counterproposal may lead the Commission to allot a different channel than was requested for any of the communities involved.

4. *Comments and Reply Comments; Service.* Pursuant to applicable procedures set out in Sections 1.415 and 1.420 of the Commission's Rules and Regulations, interested parties may file comments and reply comments on or before the dates set forth in the *Notice of Proposed Rule Making* to which this Appendix is attached. All submissions by parties to this proceeding or by persons acting on behalf of such parties must be made in written comments, reply comments, or other appropriate pleadings. Comments shall be served on the petitioner by the person filing the comments. Reply comments shall be served on the person(s) who filed comments to which the reply is directed. Such comments and reply comments shall be accompanied by a certificate

of service. (See Section 1.420(a), (b) and (c) of the Commission's Rules.) Comments should be filed with the Secretary, Federal Communications Commission, Washington, D.C. 20554.

5. *Number of Copies.* In accordance with the provisions of Section 1.420 of the Commission's Rules and Regulations, an original and four copies of all comments, reply comments, pleadings, briefs, or other documents shall be furnished the Commission.

6. *Public Inspection of Filings.* All filings made in this proceeding will be available for examination by interested parties during regular business hours in the Commission's Public Reference Room at its headquarters, 1919 M Street N.W., Washington, D.C.

TECHNICAL EXHIBIT
PETITION TO DENY
RM-8270
DONALSONVILLE, GEORGIA

EXHIBITS

- (1&1A) -SPACING STUDY SHOWING ORIGINAL COORDINATES AS FILED BY EME COMMUNICATIONS IN FEBRUARY, 1990. THIS SITE WAS AVAILABLE FOR CONSTRUCTION OF TOWER, HOWEVER, WITH RM-8270, THIS SITE IS SHORT SPACED 4.4 KM.
- (2) - EXHIBIT 2 IS A VISUAL PLOT SHOWING THE CLEAR AREA TO LOCATE TOWERS FOR SASSER, GEORGIA, APPLICANTS PRIOR TO RM-8270.
- (3) - EXHIBIT 3 IS A VISUAL PLOT SHOWING THE CLEAR AREA TO LOCATE A TOWER FOR THE SASSER, GEORGIA, APPLICANTS AFTER RM-8270.

DISCUSSION

AFTER THE NOTICE OF PROPOSED RULE MAKING WAS RELEASED FOR RM-8270, A COMPLETE CHECK OF ALL LAND OWNERS WITHIN THE "NEW" AREA TO LOCATE WAS CONDUCTED. NO SINGLE OWNER WAS WILLING TO EITHER LEASE OR SELL SUITABLE LAND WITHIN THE AREA FOR A TOWER SITE.

EXHIBIT 1&1A IS A SPACING STUDY SHOWING THE ORIGINAL COORDINATES AS FILED BY EME COMMUNICATIONS FOR PETITION FOR RULE MAKING ON SASSER, GEORGIA, IN FEBRUARY, 1990. PRIOR TO REQUESTING THIS SITE, EME COMMUNICATIONS HAD DETERMINED THIS SITE TO BE AVAILABLE. THE SITE WAS NOT USED BY THE COMMISSION FOR THIS RULE MAKING (RM-7280 & RM-7328). AS THE EXHIBIT SHOWS, IF THE ORIGINAL COORDINATES HAD BEEN USED, THE CLEAR AREA FOR RM-8270 WOULD NOT EXIST.

EXHIBIT 2 IS A VISUAL PLOT SHOWING THE CLEAR AREA TO LOCATE AT SASSER PRIOR TO RM-8270

EXHIBIT 3 IS A VISUAL PLOT SHOWING THE CLEAR AREA TO LOCATE AT SASSER AFTER RM-8270.

Scott states that "No single owner was willing to either lease or sell suitable land within the area for a tower site." However, the other applicant for Sasser has a site within this area. Petitioner added the underlining and highlighting to this document.

Exhibit "B"
12-3-93
Jerry E. White
Petition to Deny

IN THE TECHNICAL EXHIBIT TENDERED BY MR. WHITE TO SUPPORT THE PETITION TO ADD CH298A AT DONALSONVILLE, THERE IS A PROBLEM WITH THE COORDINATES USED AS THE SASSER REFERENCE COORDINATES. MR. WHITE STATED THE SASSER STUDY SITE TO BE LAT. 31-10-53 AND LON. 84-25-07 WHEN INDEED THE SASSER SITE IS LAT. 31-40-53 AND LON. 84-25-07. THIS MISTAKE ITSELF MAKES THIS REQUEST TECHNICALLY FLAWED.

THE POPULATION WITHIN THE 1.0 MV/m FOR THE DONALSONVILLE, GEORGIA REQUESTED SITE WITH THE PROPOSED STATION OPERATING AT 6KW ERP AND A HAAT OF 100 METERS IS 25.781.

THE POPULATION WITHIN THE 1.0 MV/m FOR THE SASSER, GEORGIA REQUESTED SITE WITH THE PROPOSED STATION OPERATING AT 25 KW ERP AND A HAAT OF 100 METERS IS 131.543.

CLYDE SCOTT, JR.



EME COMMUNICATIONS
SEPTEMBER 2, 1993

This statement was signed by Clyde Scott, Jr. Principal in EME Communications, and Albany Radio, Inc.

Exhibit "B"
Page "2"

73.207 of the rules states that the Commission will not accept a petition for rule making for a new FM channel which fails to meet minimum distance separation requirements.

As shown by the attached statement from EME, before it filed its original petition for rule making at Sasser (RM-7328), it contacted landowners to determine the availability of a tower site for the proposed station. These investigations lead to EME's selection of its originally proposed Sasser reference coordinates (31' 41' 03"; 84' 31' 03"). Given EME's pre-filing investigation, it knew that the reference coordinates ultimately substituted by the Commission (31' 41' 55"; 84' 27' 13") fall within land area available for a tower site for Channel 299C3 at Sasser.

Exhibit 2 to EME's engineering showing reflects a large clear area within which to locate a tower site for Channel 299C3, discounting the Donalsonville rule making. Exhibit 3 shows the effect which Channel 298A at Donalsonville will have on the Sasser allotment: approximately a 92% reduction in the available clear area.

After the Donalsonville rule making (RM-8270) was released, EME conducted a check with all land owners within the significantly reduced clear area to locate a transmitter site for Channel 299C3 at Sasser. "No single owner was willing to either lease or sell suitable land within the area for a [radio] tower."

To fulfill its pledge made in the Sasser proceeding and

Scott states that the coordinates ultimately substituted by the Commission fall within land area available for a tower site for channel 299C3 at Sasser. This is his reason for not wanting to find a new site that will allow 298A to be assigned to Donalsonville. However, this site that was originally the Sasser site was not the site that Scott and Albany Radio, Inc. used in there application, Scott could not find a site in the usable area for channel 299C3, but found one further south and into the short space of Donalsonville. The application of Marshall W. Rowland, Sr. shows that a site can be found for 299C3 and leave space for channel 298A at Donalsonville, Georgia.

Exhibit "C" 12-3-93 Jerry E. White, Petition to deny
(Petitioner added the underlining and highlighting to this document)

file an acceptable application for a construction permit for a new facility at Sasser, EME must be able to certify that it has reasonable assurance of its proposed tower site. If the Commission adopts the Donalsonville rule making as proposed, it may not be possible to build and operate the Sasser station in accordance with the Commission's spacing rules.¹

Based on all of the foregoing reasons, and for good cause shown, the Donalsonville Petition must be denied.

Respectfully Submitted,

EME COMMUNICATIONS

September 9, 1993

By


John S. Neely
Its Attorney

Miller & Miller, P.C.
P.O. Box 33003
Washington, DC 20033

¹ The Sasser allotment provides a first local service and will serve a total population of approximately 131,453 within the 1 mV/m contour from a tower located at the Sasser reference coordinates, while the Donalsonville proposal provides a third local service and will serve a total population of approximately 25,781 within the 1 mV/m contour from a tower located at the Donalsonville reference coordinates.

Petitioner added underlining to this Document

EME Communications states, based on information from Scott, though it's attorney, that if channel 298 is adopted in Donalsonville that "it may not be possible to build and operate the Sasser station in accordance with the Commission's spacing rules." The Rowland application shows that it can.

Exhibit "D" 12-3-93 Jerry E. White Petition to Deny

AFFIDAVIT

STATE OF GEORGIA

MITCHELL COUNTY

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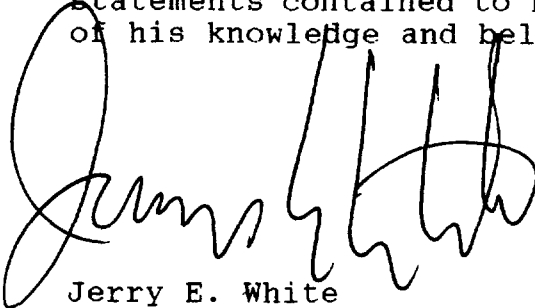
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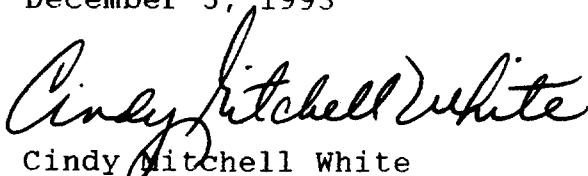
SS:

Jerry E. White, being first duly sworn, deposes and states that:

He has prepared and reviewed the attached Petition to Deny to be filed with the Federal Communication Commission and believes the statements contained to be true, correct, and accurate to the best of his knowledge and belief.



Jerry E. White
Route 3, Box 514
Pelham, Georgia 31779
December 3, 1993

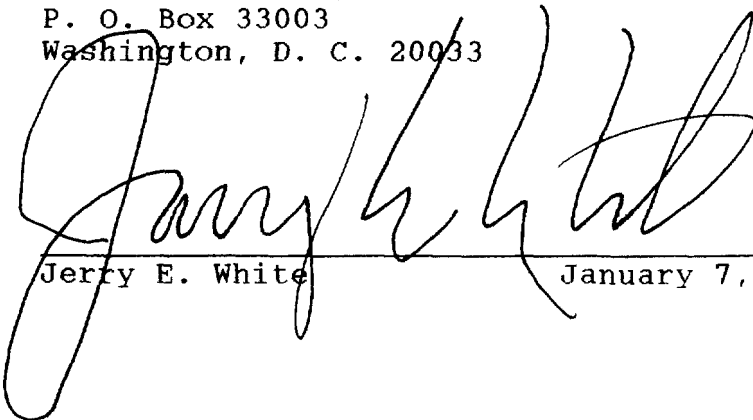


Cindy Mitchell White
Notary Public
My Commission Expires May 25, 1995

This is to certify that copies of the attached comments to rulemaking MM Docket No. 93-205 were mailed pre-paid first class on January 7, 1994 to the following parties:

Secretary
Federal Communication Commission
1919 M Street, N. W., Room 222
Washington, D. C. 20554

Clyde Scott
D/B/A EME Communications
c/o Mr. John S. Neely
Miller & Miller, P. C.
P. O. Box 33003
Washington, D. C. 20033



Jerry E. White

January 7, 1994